

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
DELTA DIVISION**

**UNITED STATES OF AMERICA,**

**VS.**

**CRIMINAL ACTION NO. 1:08CR084-P-D**

**AMINA DARLENE SMITH,**

**DEFENDANT.**

**ORDER CONTINUING TRIAL**

This matter comes before the court upon Defendant Amina Darlene Smith's Motion for Continuance [40]. After due consideration of the motion, the court finds as follows, to-wit:

Trial is currently set for February 23, 2009. Defense counsel requests a continuance to afford more time to receive and review discovery in this matter.

The Government has no objection to the continuance.

The above circumstances enable the Court to exclude, pursuant to 18 U.S.C. section 3161(h)(7)(A), the period of delay from February 23, 2009 until the new trial date to be set in this matter. The time is excludable under subsection (h)(7)(A) because, given the circumstances described above, a continuance is necessary to afford the defendant's counsel more time to adequately prepare for his client's defense. As such, the ends of justice served by the granting of this continuance outweigh the best interests of the public and the defendant in a speedy trial.

**IT IS THEREFORE ORDERED AND ADJUDGED** that:

- (1) Defendant Amina Darlene Smith's Motion for Continuance [40] is **GRANTED**;
- (2) Trial of this matter is continued until Monday, April 6, 2009 at 9:00 a.m. in the United States Courthouse in Greenville, Mississippi;
- (3) The delay from February 23, 2009 to April 6, 2009 is excluded from Speedy Trial Act

considerations as set out above;

(4) The deadline for filing pretrial motions is March 16, 2009; and

(5) The deadline for submitting a plea agreement is March 23, 2009.

**SO ORDERED** this the 18<sup>th</sup> day of February, A.D., 2009.

/s/ W. Allen Pepper, Jr. \_\_\_\_\_  
W. ALLEN PEPPER, JR.  
UNITED STATES DISTRICT JUDGE